

POLICE SECRETS OUT.

Schmittberger Says He Paid
Williams Bribe Money.

BRIBED McAVOY ALSO

Accusations Against President Martin
and Commissioner Sheehan.

SAYS SUP'T BYRNES WAS SQUARE.

A Sweeping Confession Covering Protection
in Five Police Precincts.

The President of the Police Board Accused
of Protecting Disorderly Houses and
Furnishing Officers for Excise Arrests;
Commissioner Sheehan of Trying to
Protect a Gambling House—Byrnes In-
terviewed—Police Shops Paid \$300 a Month
Regularly; Pool Rooms \$200 a Month—
Disorderly Houses \$10 to \$50 a Month—
Two Inspectors Got from \$250 to \$300 a
Month from Schmittberger—Ward Men
Got 50 Per Cent. of Collections—McAvoy
Objected to Disorderly House Money,
but Took It—Capt. Martens Alleged to
Have Paid Williams for Protection;
\$500 to Be Remitted, \$1,000 to Be
Sergeant, and \$14,000 to Be Captain—In-
dictments to Be Based on the Testimony.

Police Captain Max F. Schmittberger of the
Tenderloin precinct, who is under \$15,000 bail
on the charge of having extorted \$500 from
Agent Forget of the French steamship line, and
whose name has been mentioned in connection
with many other corrupt transactions, appeared
before the Luzzo committee yesterday, made a
full and elaborate confession of his own corrup-
tion, and accused many other police officials.

He swore that he had paid to Inspectors Wil-
liams and McAvoy percentages of the black-
mail collected by him monthly in five of the six
precincts in which he has been in command.

He charged Police Commissioner Martin with
having ordered him to protect without cost
various disorderly houses in the Twenty-second
precinct, and with having transferred him from
the Twenty-seventh precinct because he had
made "genuine" arrests for violations
of the Excise law.

He charged Commissioner Sheehan with hav-
ing endeavored to induce him to permit a firm
of gamblers to open a gambling house in the
Twenty-second precinct against the explicit
orders to the contrary of Superintendent Byrnes.

He charged in general that every Captain
levies blackmail and divides the blackmail with
the police inspectors, and that promotions in
the force (his own case being an exception) are
procured only by purchase or through political
influence, and in particular that Capt. Martens's
Captaincy, according to general report, had cost
him \$14,000.

He stated that he believed Superintendent
Byrnes to be an honest officer, whose good in-
tections in the matter of the administration of
the Police Department are hampered by the in-
terference of the Police Commissioners. His
long examination was conducted by Mr. Goff,
with the constant aid of Mr. Moss and Mr.
Jerome, and with suggestions under circum-
stances which indicated that indictments
will grow out of his testimony. The court
room throughout the day was densely packed. All
of the committee were present, and while but few
questions were propounded by committeemen,
they listened to the examination with intense
interest throughout.

When the committee was called to order, Sen-
ator O'Connor denied the genuineness of an
interview, purporting to be with him, published
in yesterday morning's World. The "fake"
made Senator O'Connor attack Mr. Goff for his
method of examining witnesses. Senator
O'Connor said that, while he realized that Mr.
Goff's examinations had violated all prece-
dents, the method was necessary to pro-
duce results, and was approved by the com-
mittee. Senator Luzzo said that the committee
willingly shared with the counsel the responsi-
bility for what has been done and for what may
be left undone. Mr. Goff responded to this that
he shared the responsibility for what had been
done, but furthermore he said not. Committee
and counsel talked so long that it was evi-
dent that some one was being wasted
for, and they were merely killing time. To
help kill it, a man named Adolph
Reinhart was sworn and disclosed that
which Mr. Goff's name was forged. Counsel
and committee appeared nervous and restless
and anxious, and there were many eager glances
cast toward the entrance door. All faces seemed
satisfied when Capt. Schmittberger was sent
to enter.

SCHMITTBERGER PROMISES THE WHOLE TRUTH.
Then the man with the false affidavit stepped
down and Mr. Goff rose, tapped the table with
his fingers nervously, looked about among the
seated and excitedly expectant auditors, and
said in a tone so calm as he could command:
"Capt. Schmittberger, take the stand."
If the manner of the calling of the witness left
any one in doubt as to what was to follow, the
appearance of the witness himself did not. He
was pale and looked as if he had not slept for
days and nights. Instead of being in uniform
as he was when he was called and declined to
answer questions on the grounds that his an-
swers might tend to incriminate him, he was
dressed fashionably in plain clothes. As he
passed the stenographer's table that official
asked, as is his custom, "Your full name,
please." The witness stopped and answered,
"Max F. Schmittberger."
"You have been sworn already, I believe,"
said the Chairman.
"I have," responded the witness, and sat down
in the chair—the second police Captain to take

the chair a second time and to confess after a
refusal. Mr. Goff turned to the witness and said
in his loudest small talk tone:

Q.—You are a police captain of the city of New
York? A.—I am, sir.

Q.—And are at present in command of what
precinct? A.—The Nineteenth.

Q.—The Tenderloin? A.—The Tenderloin.

Q.—You are called before this committee as a
witness on behalf of the State of New York, to
testify here concerning matters relating to the
Police Department of this city. In obeying the
subpoena of this committee and taking the oath
administered to you, you appreciate the obliga-
tions you are under? A.—I do, sir.

Q.—That oath is binding on your conscience to
tell the truth, the whole truth, and nothing but
the truth?

The witness gathered himself a little in his
chair and his hands, which had been easily
clasped, clenched each other before he an-
swered: "I have come here to tell the truth,
and the whole truth, without any promise."

Q.—The law guarantees you under such cir-
cumstances certain privileges and exemptions,
but, aside from those, are you prepared to
testify without reward or promise of reward?
A.—I am, sir.

His IMMUNITY EXPLAINED TO HIM.

Mr. Goff—I call the Chairman at this point
to explain to the witness his relations to the com-
mittee in respect to the privileges and exemp-
tions the witness is guaranteed, not by the com-
mittee, but by law. I ask this because there has
been some misunderstanding growing out of
comments in the press concerning the relation
of the witnesses before this committee under the
present circumstances.

Chairman Luzzo—We are here—this commit-
tee—to investigate the general system of police
administration in this city; not specific cases of
police corruption, except as an investigation of
specific cases will illuminate the general sub-
ject. A witness who comes before this commit-
tee in answer to its subpoena and tells the truth
as he is required of him by the law, not by
this committee, as has been stated in the
press, certain privileges and exemptions. That,
I say, is the guarantee provided by the general
law, but I will add to you, witness, that if you
aid us in the pursuit of information, the possession
of which will be valuable to the State, we should
consider it our duty, both as Senators and as
individuals, to see that those immunities to
which such a witness is entitled are safely
guarded. An individual case of corruption is
insignificant compared to the value of securing
cases which will aid the Legislature of this
State to enact such laws as will tend to remedy
the evil system which has here been proven to
exist.

Capt. Schmittberger listened attentively to
the Chairman's remarks, and bowed slightly
at their conclusion. Mr. Goff announced that
all witnesses in the court room under subpoena
were excused from further attendance until
Wednesday morning next, but, although there
were scores of such witnesses there, not one
gave up his seat or standing room. Then Mr.
Goff returned to the examination.

DID NOT PAY TO GET ON THE FORCE.

Q.—When did you join the force? A.—Jan.
28, 1874.

Q.—How old were you then? A.—Twenty-two.

Q.—What was your previous business? A.—I
was a confectioner.

Q.—Are you married? A.—Yes, sir.

Q.—Did you pay for your appointment? A.—
No, sir.

Q.—The practice had not commenced then?
A.—No.

Q.—Nor civil service examinations begun?
A.—No, sir.

Q.—Where were you first assigned? A.—The
old Twenty-ninth, now the Nineteenth—the
Tenderloin.

Q.—And how long were you there as patrol-
man? A.—Three years.

Q.—And so became pretty well acquainted
with the Tenderloin and its characteristic fea-
tures? A.—Yes, sir.

Q.—And with the duties and hardships of the
life of a patrolman, even in the Tenderloin?
A.—Yes.

Q.—Are there any inequalities in the business
of a patrolman resulting from favoritism? A.—
Yes, there are always some men who are fa-
vorites of the Sergeants.

Q.—How is that favoritism displayed? A.—In
excuses from duty, and not sending them out
on special duty when it is their time for
sleep, or making distinctions between dead and
lively posts.

Q.—What is the distinction between dead and
lively posts? A.—A dead post is one in a quiet
neighborhood, a lively post is where there is
plenty going on, and a chance for the police-
man to get a cup of coffee perhaps, or some-
thing like that.

Q.—Who decides these assignment posts? A.—
It is generally the Sergeant, but sometimes
the Captain.

Q.—That favoritism causes discontent among
the officers? A.—Sometimes.

Q.—And affects discipline? A.—To a certain
extent.

POLITICAL INTERFERENCE WITH THE FORCE?

Q.—What is the cause of favoritism? A.—I
am not prepared to answer—it might be the
Sergeant's liking or interest in a particular man.

Q.—Well, it is commonly rumored, and there
has been evidence of it here, that these ad-
vantages and display of favoritism are brought
about by the interference of local politicians or
political corruption? A.—Yes, sir, it has.

Q.—Well, what effect has that interference?
A.—Decidedly detrimental.

Q.—In effect the Sergeant becomes the mouth-
piece of a local politician? A.—Yes, sir.

Q.—The politician goes to the Sergeant and
exercises his influence? A.—That is the way.

Q.—In what direction does the Sergeant re-
cognize that influence can be exerted? A.—An
influence with the Sergeant's superior officers
and Commissioners of Police.

Q.—And the Sergeant recognizes that that in-
fluence should be exercised to his detriment if
he opposed the interference of the politician? A.—
Yes, sir.

Q.—And a Sergeant seeking promotion or any
other favor relies for aid on the politician to
whose influence he submits? A.—Yes.

Q.—He relies on his pull thus obtained as much
as on his merits and record for his advance-
ment? A.—More so, sir.

Q.—Are Sergeants moved by other considera-
tions to show favoritism to certain officers—
financial—cigars, etc., but no money.

Q.—I have heard that money was used for that,
but I know nothing of my own knowledge.

Q.—Give us an idea if the class of men ap-
pointed between 1884 and 1894 was an improve-
ment or a deterioration compared with the men
appointed on the force from 1874 to 1884.

A.—I think the older men make better policemen
than the new ones.

Q.—To what cause do you attribute that? A.—
The later appointments do not seem to be as
strong and intelligent men as the older ones. They
are more politicians than men who catch on to
their duties.

ALLEGED BROKERS IN APPOINTMENTS.

Q.—There is evidence here that applicants for
appointment to the force have to pay? A.—Yes,
sir.

Q.—Is it a matter of common rumor and
general understanding that applicants for ap-
pointment to the police force are obliged to pay?
A.—Certainly, sir.

Q.—What kind of tend to deteriorate the
class? A.—Yes.

Q.—Can you tell us how money is paid for ap-
pointment to the force? How collected, and to
whom it ultimately goes? A.—Not about ap-
pointments, but I can tell you about promotions.

Q.—We will come to that later. You have
heard of men who are known as the go-between

in this matter of paying for the appointment?
A.—Yes, sir.

Q.—Men who it is well known had to be "seen"
by any one wanting to get on the force? A.—
Very well known.

Q.—Name some so known by common rumor.
A.—Well, Charley Grant, Commissioner Mc-
Clave's secretary, is the only one I think of.

Q.—And Myers, the tailor near the Hotel
Metropole? A.—Oh, yes, yes.

Q.—And Alderman Parks? A.—I know of that
only from reading.

"PAY MEN" MAKE POOR POLICEMEN.

Q.—Now, so far as the discipline of the depart-
ment is concerned. What was your experience
with the men who paid for their appointments?
A.—They make poor policemen. They feel that
as they have purchased their position they are
independent.

Q.—As to infraction of law and rules and as to
climbing? A.—There was more of that with the
pay men than with the older men.

Q.—Why? A.—Well, the men who pay for
their places are not as ready to obey orders as
the older men.

Q.—In case of the violation of department
rules, or the laws of the land, what has been the
attitude of these pay men when brought to
trial? A.—They seem to feel that they have a
right to more protection than others.

Q.—Was your defense before the Police Board
legitimate defense or pull? A.—Pull.

A GREAT RUSH TO HEAR THE CONFESSION.

At this point recess was taken, the witness
going out for lunch in the custody of the
Sergeant-at-Arms. The news that Capt. Schmitt-
berger was on the stand and making a confession
spread apparently throughout the recess
hour, not only to the immediate vicinity of the
White Court House, but into distant parts of the
city, for when the doors were reopened for the
afternoon session there were in the struggling

Q.—What was the Hymark? A.—Yes, and
—

Q.—And Tom Gould's notorious place? A.—
Yes, sir.

Q.—And many other notorious resorts and dis-
orderly dives in the Tenderloin? A.—Yes, sir.

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orderly dives in the Tenderloin? A.—Yes, sir.

Q.—Who appointed him? A.—Williams.

MUNSTER'S MINERAL WATER.

Q.—Do you know of cases of ward men having
been kept in a precinct in spite of the protest of
a Captain? A.—The Captain generally picks
their own ward men. I remember the case of
Brennan who was detained in Union Market
station against the protest of the Captain, but I
can't recall another case where a Captain could
not get the ward man he applied for.

Q.—Recurring to your knowledge that liquor dealers
were compelled to buy the mineral water sold
by its secretary, Louis Munster? A.—I have
heard so.

Q.—Is it not a fact that most all the liquor
dealers in the Tenderloin use his mineral water?
A.—Yes.

Q.—And that those who refuse are threatened
by the police? A.—I don't know as I heard that.
Munster came to me and asked me to see two
or three liquor dealers and secure them as cus-
tomers. I got one, but he discarded the mineral
water after a week, because he said it was not
good.

TENDERLOIN RESORTS PAID FOR PROTECTION.

Q.—Now, returning to Ward Detective Price.
He had charges of a great many disorderly
houses? A.—Yes.

Q.—Now, give us what was the common un-
derstanding throughout the force why so many
disorderly houses were allowed to flourish in
defiance of the law?

The witness raised his hand from the bench
by his side, folded his arms, and after a pause
said, "It was because they paid for protection."

Q.—What, such as the Hymark? A.—Yes, and
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